



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 14, 2019

BY ECF and FACSIMILE

The Honorable George B. Daniels
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007
Fax: 212-805-6737

Re: *United States v. Mendel Zilberberg and Aron Fried*, 19 Cr. 802 (GBD)

Dear Judge Daniels:

As the Court is aware, on November 12, 2019, the defendants Mendel Zilberberg and Aron Fried were arrested and arraigned in U.S. Magistrate Court on charges in the above-referenced indictment involving bank fraud and making false statements to a bank, in connection with a fraudulent scheme to obtain a \$1.4 million loan from Park Avenue Bank. Zilberberg was also separately charged with embezzlement and misappropriation of bank funds while he was a director of Park Avenue Bank.

Over the next few weeks, the Government will be producing discovery to the defendants. In consultation with Your Honor's Chambers and counsel for each defendant, the Government proposes that the initial conference before Your Honor be scheduled for December 3, 2019 at 10:00 a.m. The Government also respectfully requests that time be excluded under the Speedy Trial Act until the next scheduled conference in the interest of justice pursuant to 18 U.S.C. § 3161(h)(7)(A), which will allow time for the Government to begin producing discovery and for the defendants to begin their review of the discovery. The Government submits that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a

November 14, 2019

Page 2

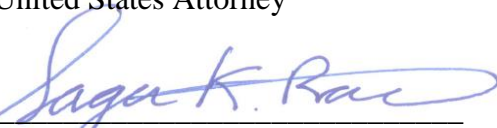
speedy trial. Both defendants have consented to the exclusion of time through their respective counsel.

Respectfully submitted,

GEOFFREY S. BERMAN

United States Attorney

By:



Kimberly J. Ravener / Sagar K. Ravi

Assistant United States Attorneys

(212) 637-2358 / 2195